

August 3, 2005

Michael J. Tostengard
Assistant Attorney General
NCL Tower, Suite 1200
445 Minnesota Street
St. Paul, MN 55101-2130

Eugene John Sullivan
2408 Girard Avenue South
Minneapolis, MN 55405

Re: In the Matter of Eugene John Sullivan
OAH Docket No. 3-1902-16490-2

Dear Mr. Tostengard and Mr. Sullivan:

This letter constitutes the Second Prehearing Order in the above matter concerning matters discussed this morning. Mr. Tostengard appeared on behalf of the Department of Commerce; Mr. Sullivan appeared on his own behalf, without counsel. Because of a pending criminal trial on charges related to this proceeding, the Department agreed to Mr. Sullivan's request for a continuance of the hearing scheduled to commence today. **Another prehearing conference will take place by telephone at 1:30 p.m. on October 10, 2005**, at which time Mr. Sullivan anticipates being able to resolve this matter by stipulation. I will initiate the call to both parties. If the criminal matter is resolved before then and the parties are able to work out a stipulation, please let me know.

Sincerely,
s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY
Administrative Law Judge
Telephone: (612) 341-7602

Encl.

cc: Docket Coordinator